

THE DIRECTOR OF CENTRAL INTELLIGENCE

WASHINGTON, D. C. 20505

Intelligence Community Staff

DCI/IC-76-1238

MEMORANDUM FOR: Members of the Committee on Foreign Intelligence

SUBJECT: Revision of NSCIDs

1. Reference is paragraph 8(b) of the Executive Order, "United States Foreign Intelligence Activities," dated 18 February 1976, which provides that "all existing" National Security Council Intelligence Directives shall be amended to be consistent with the Order within 90 days of its effective date.

2. The initial step must be determination as to whether it is the NSC intent that all of the provisions of the E.O. are to be reflected in NSCIDs.

a. Following issuance of the President's memorandum of 5 November 1971 on "Organization and Management of the U.S. Foreign Intelligence Community," all of the eight NSCIDs were reissued and the entire Presidential memorandum was incorporated in a completely rewritten NSCID No. 1 on "Basic Duties and Responsibilities."

b. Given the legal status of an Executive Order, question can be raised as to whether there is any need to reproduce provisions of the E.O. in a corresponding NSCID.

3. If the decision is that whatever is contained in the E.O. need only be cited by reference in the NSCIDs, several of the NSCIDs can be markedly reduced in length.

4. Preliminary review suggests that three of the existing NSCIDs (No. 2, "Coordination of Overt Collection Activities;" No. 3, "Coordination of Intelligence Production;" and No. 7, "Critical Intelligence Communications,") could be rescinded because their essential provisions are now covered by the E.O.

5. However, the numbering system and subject matter categories of the existing series of Director of Central Intelligence Directives are based on the corresponding NSCID numbers. All elements of the Intelligence Community are familiar with this system, so it is recommended the entire series of NSCIDs be retained. Assuming it is not necessary to repeat in a NSCID what is already in the E.O., the present NSCIDs 2, 3, and 7, for instance, could each be reduced to little more than an enabling paragraph.

6. The only present NSCID requiring major revision is No. 1. The organizational structure provided in NSCID No. 1 has been virtually eliminated by the new E.O. Moreover, the new E.O. does not mention certain long-standing DCI functions which have proved important in practice. Examples are the provisions in NSCID No. 1 that the DCI is to formulate policies "with respect to arrangements with foreign governments on intelligence matters," and is authorized to disseminate intelligence to foreign governments and international bodies upon his determination that this will promote the security of the United States.

7. It is not considered feasible to substitute CFIDs for the NSCID series for several reasons:

a. The E.O. specifically calls for amendment of the NSCIDs (Sec. 8(b)).

b. The CIA is charged in the E.O. to collect intelligence "in accordance with directives of the National Security Council" (Sec. 4(b)(2), and to conduct services of common concern "as directed by the National Security Council," (Sec. 4(b)(6)).

c. The existing NSCIDs assign certain responsibilities to the Secretary of State and the Secretary of Defense. A CFI authority to task the departmental secretaries has not been stated.

8. An early decision is needed as to whether the provisions of the new Executive Order are to be integrated into the wording of revised NSCIDs.

9. It is recommended that the CFI position be that E.O. material may be referenced as necessary in the revision of the NSCIDs, but that text of the E.O. need not be written into the text of the NSCIDs.

10. It is further recommended that the present set of NSCID numbers and titles be retained, and that the revised NSCID texts focus on material needed to expand upon directions in the Executive Order and to identify organizational responsibilities.

Samuel V. Wilson
Lieutenant General, USA
Deputy to the DCI for the
Intelligence Community

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DCI/IC-76-1239

MEMORANDUM FOR: Members of the Committee on Foreign Intelligence

SUBJECT : Series Designation for CFI Directives

1. Preliminary to issuance of Committee on Foreign Intelligence Directives decision is needed as to the manner in which the CFIDs are to be numerically designed. Two alternatives are proposed for your consideration.

2. Series designation by relationship to CFI responsibilities as assigned in the Executive Order of 18 February 1976. A draft CFID on "Issuance of Committee on Foreign Intelligence Directives (CFIDs)" using these categories is attached at Tab A.

3. Series designation to accord with NSCID titles, which is currently the basis for numerical designation of Director of Central Intelligence Directives. A draft CFID on "Issuance of Committee on Foreign Intelligence Directives (CFIDs)" using the NSCID titles as basis for the numerical classification is attached at Tab B.

4. Your decision as to the system to be used is requested.

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Attachments:
as stated

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Next 5 Page(s) In Document Exempt

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